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Paper No. 17

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In re Application of  
Rangan, Worsley, Thaik & Edem  
Application No.: 09/173,582  
Filed: October 15, 1998  
Attorney Docket No.: VN-169RI  
For: DATA COMMUNICATION NETWORK  
WITH TRANSFER PORT, CASCADE PORT  
AND/OR FRAME SYNCHRONIZING SIGNAL

ON PETITION

This is a decision on the reconsideration petition under 37 CFR 1.183 to waive 37 CFR 1.67, filed September 15, 2003 (certificate of mailing date September 8, 2003).

The petition under 37 CFR 1.183 to waive 37 CFR 1.67 is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Any response should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.183 to waive 37 CFR 1.67" and must include an oath or declaration executed by the correct inventive entity. **Failure to respond will result in abandonment of the application.**

While petitioner has established that non-signing inventor Richard Thaik cannot be located after diligent efforts, petitioner has yet to submit an acceptable supplemental declaration.

The declaration contains noninitialed, nondated alterations to Inventor Rangan's and Inventor Edem's information. 37 CFR 1.52(c) states that "[a]ny interlineation, erasure, cancellation or other alteration of the application papers filed should be made on or before the signing of the accompanying oath or declaration pursuant to 1.63...." This includes the oath or declaration. The Office will not consider whether noninitialed and/or nondated alterations were made before or after signing of the oath or declaration but will require a new oath or declaration. See MPEP 605.04(a).

Fortunately, the deficiencies or inaccuracies relate to signing inventors. Thus, pursuant to 37 CFR 1.67(a)(2), Inventor Rangan and Inventor Edem can correct their respective information on a supplemental declaration identifying the entire inventive entity but signed only by them.

Regarding finances, petitioner has paid two \$130 petition fees. Only one petition fee is required, as the instant petition is a reconsideration petition. Pursuant to petitioner's authorization, deposit account no. 50-0251 will be the \$130 petition fee submitted with the instant petition.

Further correspondence with respect to this matter should be addressed as follows:

By mail:

Mail Stop PETITION

Commissioner for Patents

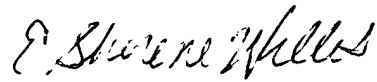
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Telephone inquiries should be directed to the undersigned at (703) 308-6712.



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